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RHHMUNA/CDR USPACOM HONOLULU HI
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C O N F I D E N T I A L SECTION 01 OF 03 BANGKOK 005718

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SUBJECT: THAI KING LEAVES HOSPITAL; SUCCESSION MECHANICS

REF: A. BANGKOK 5522 (GOSSIP)
[1](#)B. 04 BANGKOK 4633 (CHAKRI SUCCESSION)

Classified By: Ambassador Ralph L. Boyce, reason: 1.4 (b) and (d).

SUMMARY

[1](#)1. (C) Thai King Bhumibol left the hospital under his own power on November 7. His return to the Palace enables many Thais to put aside for the moment anxiety about the transformation of Thai society that will take place when he leaves the scene. The Constitution and the 1924 Palace Law on Succession have established procedures for succession in the event of the King's death. Under current circumstances, these procedures should lead to the Crown Prince's ascension to the throne, but there is no precedent for royal succession in the modern era, and it remains unclear how succession might play out. End Summary.

KING LEAVES HOSPITAL

[1](#)2. (U) At mid-day on November 7, King Bhumibol left the Bangkok hospital where he had received medical care since suffering a minor stroke on October 13 and returned to Chitralada Palace. Thai television news footage showed the King, moving steadily under his own power (but relying on a wheeled walker) as he walked from the hospital to his vehicle. The King's expression was his usual poker face, but he appeared alert and acknowledged the crowd as his vehicle departed.

[1](#)3. (C) The King's public appearance and departure from the hospital will enable many Thais to put aside, for now, their anxieties surrounding the King's eventual departure from the scene. However, while some Thais appear psychologically unable to cope with the idea of the eventual death of their revered King, many in the political class recognize that this is a looming prospect that will transform Thai politics.

[1](#)4. (C) We are not experts on Thai constitutional law, and we believe that it would be highly inappropriate at this time to begin to ask our Thai legal contacts probing questions about the succession. We hope to have the opportunity for some discreet inquiries shortly. Based on our understanding of

the relevant laws, we give our current assessment of the mechanics of transition.

SUCCESSION - WHO'S IN LINE?

15. (C) The primary law governing the succession is the Palace Law on Succession of 1924. This law specified that the King's oldest son should be heir to the throne barring certain extraordinary circumstances (such as marriage to a foreigner, or mental illness), and then rank ordered other male relatives in the line of succession. For several decades, the various Thai constitutions either contained no provision for amending this law, or required any changes to follow the same procedures as a constitutional amendment. In the constitution of 1991, according to an account by a reputable academic, it was specified for the first time that the amendment of the Palace Law shall be the perogative of the King. This same provision has been carried over in the 2007 Constitution. The King can declare his wish to change the law; the Privy Council will draft the amendment for his signature. Once he has signed, the Privy Council shall notify the President of the National Assembly to inform them of the change, and the Assembly president will countersign the Royal Command. In plain terms, this means that the King, on relatively short notice, can make significant changes in the Succession law. This has been interpreted to mean that he could, if he liked, designate his popular daughter to succeed him, rather than his reprobate and reviled only son.

16. (SBU) The 2007 Constitution has other provisions relating to royal succession. Article 23 specifies that, when the throne becomes vacant, the National Assembly (consisting of

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the House and Senate), upon receipt by its President of notification from the cabinet, will convene to acknowledge the King's designated heir (currently Crown Prince Vajiralongkorn) and invite him to ascend to the throne, proclaiming him as King. The Constitution does not delineate any timeline for this process. There is an expectation that the heir will be called very quickly, however. King Bhumibol was proclaimed King the same day that his older brother died of an unexplained gunshot wound in 1946 -- even under such alarming circumstances, the machinery of succession worked quickly.

17. (U) Addressing the contingency of a vacancy on the throne when an heir has not been designated -- a scenario that does not currently apply -- the Constitution stipulates that the Privy Council is to submit a name of the King's successor to the cabinet, for onward submission to the National Assembly, and for the Assembly's approval. It is not clear whether the Assembly's approval would simply be pro forma (see para 9). Although the Palace Law on Succession currently states that the monarch must be a male, the 2007 Constitution, like several of its predecessors, states that the Privy Council may submit the name of a princess as the King's successor. As the constitution is the highest law of the land, we believe that a princess could be named under these conditions, even if the Palace Law were not amended.

18. (U) The Constitution further specifies that the King may appoint a Regent in the event that he is unable to perform his functions; if required by circumstances (i.e., in the event of the King's incapacitation), the Privy Council may select a suitable person as Regent. If the King appoints the Regent himself, the President of the National Assembly simply countersigns the command. If the Privy Council selects a Regent, the person requires the approval of the National Assembly. One can certainly imagine that, if the King were incapacitated and a Regent had the authority to act on his behalf, that the succession process could be manipulated. At this point, however, this is mere speculation.

ARE THERE ANY LOOPHOLES?

¶19. (C) The Crown Prince is the designated heir. None of provisions above matter much if he is still the designated heir when the King dies -- those provisions become relevant only if the Crown Prince is removed from contention somehow. The Palace Law on Succession does contain a loophole that could, at least conceivably, be applied to this case.

Section 10 of the law states that: "The Heir who is to succeed to the Throne should be fully respected by the people and the people should be able to rely on him happily. If he is considered by the majority of the people as objectionable, he should be out of the line to the Throne."

¶10. (C) Ref B provides further detail on the political and legal aspects of succession, as well as concerns about the Crown Prince's character. We note that, since reftel's transmission in 2004, the Crown Prince's reputation continues to suffer and may have declined further, in part due to the dissemination online and by DVD of material harmful to the image of the Crown Prince and his Royal Consort. Ref A detailed reports that some in palace circles are working actively to undercut whatever support exists for the Royal Consort, and we assume that this undercurrent also has implications for the Crown Prince.

MOURNING PERIOD

¶11. (C) We are not aware of any legal specifications for the length of the mourning period for the King; a period of one thousand days is often mentioned. The heir would still be monarch during this period, but the coronation ceremony -- a celebration -- would not be expected to happen during this period. The cremation ceremony for the King would, we believe, occur at the end of the mourning period. We do not know what would be expected during a mourning period. Public celebrations would certainly be canceled, and most Thais

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would find it inappropriate to attend concerts or other entertainment events, at least during the early part of the mourning period. Thailand's modern economy could not shut down for 1000 days, however, and there would have to be provisions made for life in the country to go on. That means that schools, shops, and government offices would have to reopen relatively quickly.

COMMENT

¶12. (C) There is no precedent for a Thai King's death in the modern era. Although the Constitution and the Palace Law on Succession establish certain procedures, their pace and susceptibility to manipulation remains unclear. What is certain is that the King's death will prove heart-wrenching for the millions of Thais who genuinely adore him, and normal political life will come to an immediate halt for a period of months and possibly longer.

BOYCE